

Remarks

This is in response to the Office Action dated October 1, 2004.

As amended above, Claims 1, 3, 4, 6-12 remain pending in this application.

The claims were rejected under Ono et al. (USP 5,686,906).

It is respectfully submitted that the claims as amended are patentable over Ono et al in view of the following.

The moving body monitoring apparatus according to Ono et al. determines which one of a plurality of vehicles (moving bodies) is provided with a communication element (or which vehicle has carried out a communication with the monitoring apparatus). The Ono et al. monitoring apparatus is provided with a plurality of vehicle sensors (moving body detecting sensors) 2, 4 disposed along a road (lane) (col. 7, line 66 - col. 8, line 5; col. 10, lines 45-63). This vehicle sensor configuration corresponds to the conventional configuration disclosed in the related art section in the specification of Applicant's invention. The vehicle sensors 2 and 4 are a predetermined distance apart from each other (col. 7, lines 14-16). In order to examine whether or not a vehicle is provided with a communication apparatus, a detection is made such that the number of detection records is equal to the number of communication records (col. 10, lines 45-49). To perform such a detection, a decision unit 9 receives signals from the vehicle sensor 2 (via a sensor control unit 6), a communication control unit 7, and the vehicle sensor 4 (sensor control unit 8) in this order (col. 9, lines 15-18).

In contrast, in the ETC system according to the Applicant's invention, as shown in Figs. 5 and 6, there is provided only one (i.e., one pair) vehicle sensor 11 along a road. This vehicle sensor 11 is placed at a road's longitudinal directional position nearer to an incoming vehicle by a predetermined distance (i.e., 1 m). The communication service zone

is limited in the distance in the longitudinal direction of the road. In the inventive system, whether or not an incoming vehicle is provided with ETC facility is determined.

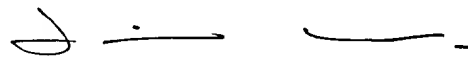
In addition, the ETC system of the instant invention has a further feature in that the antenna according to the ETC system has a predetermined directivity for providing a limited radio-communication service zone of which length alone a lane is set to a distance which allows only a single vehicle to be present in the service zone.

This feature is described on page 15, lines 6-11 of the specification: "Since only one standard vehicle can be contained in the whole radio-communication service zone, an incoming non-ETC vehicle can be correctly detected even when" One example of the practical lengths of the radio-communication service zone is set forth in Claims 3 and 12.

Such a limitation with regard to the zone length is not anticipated by or obvious over Ono et al

in view of the foregoing amended claims and arguments, it is therefore respectfully submitted that the currently pending claims are in condition for allowance.

Respectfully submitted,



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